

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEPH K. RISHER,

Defendant.

8:08CR334

**ORDER ON APPEARANCE FOR
SUPERVISED RELEASE VIOLATION**

The defendant appeared before the Court on June 21, 2024 regarding Amended Petition for Offender Under Supervision [107]. Michael Hansen represented the defendant. Donald Kleine represented the government. The defendant was advised of the alleged violation(s) of supervised release, right to retain or appointment of counsel, and any right to a preliminary hearing in accordance with Federal Rule of Criminal Procedure 32.1(a)(3).

The government made an oral motion to dismiss Petition for Offender Under Supervision [86]. The government's oral motion to dismiss Petition for Offender Under Supervision [86] is granted without objection.

The defendant freely, knowingly, intelligently, and voluntarily waived the right to a preliminary hearing. Fed. R. Crim. P. 32.1(b)(1)(A). The Court finds probable cause as alleged in the petition to believe the defendant violated the terms of supervised release and the defendant should be held to answer for a final dispositional hearing. Fed. R. Crim. P. 32.1(b)(1)(C). The defendant shall appear personally for a final dispositional hearing before U.S. District Judge Brian C. Buescher in Courtroom No. 5, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at 9:00 a.m. on June 26, 2024.

The government moved for detention based upon risk of flight and danger. The defendant requested a detention hearing which was held. The defendant met his burden to establish by clear and convincing evidence that he will not flee or pose a danger to any other person or to the community. Fed. R. Crim. P. 32.1(a)(6). The government's motion for detention is denied, and the defendant shall be released on the current terms and conditions of supervision. 18 U.S.C. § 3143(a)(1).

IT IS SO ORDERED.

Dated this 21st day of June, 2024.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge